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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR-12-00457 SBA
)	
Plaintiff,)	STIPULATED REQUEST TO CONTINUE
)	STATUS HEARING DATE TO JANUARY
v.)	16, 2013 FOR CHANGE OF PLEA
)	HEARING BEFORE THE MAGISTRATE
)	COURT AND PROPOSED ORDER
MANUEL BARAJAS MALDONADO,)	
)	Hearing Date: January 15, 2013
Defendant.)	Time: 10:00 a.m.
)	
)	
)	

The above-captioned matter is set on January 15, 2013 for a change of plea hearing and sentencing. The parties jointly request that the Court continue the matter to January 16, 2013, at 9:30 a.m., to the calendar of the Honorable Kandis A. Westmore for a change of plea hearing. The Court previously excluded time until January 15, 2013. As a result, the parties do not believe an additional exclusion of time is necessary.

On June 7, 2012, the grand jury charged Manuel Barajas Maldonado as a deported alien found in the United States, a violation of 8 U.S.C. § 1326. On June 12, 2012, Mr. Barajas Maldonado was arraigned on the Indictment and pleaded not guilty. Mr. Barajas faces a maximum sentence of 20 years imprisonment.

1 The parties have reached a Federal Rule of Criminal Procedure 11(c)(1)(C) plea
2 agreement. In the proposed agreement, Mr. Barajas qualifies for the Northern District of
3 California's early disposition program ("fast track") for illegal reentry cases. Because the parties
4 have reached this agreement, the parties request that the Court place this matter on the magistrate
5 calendar for January 16, 2013 so that Mr. Barajas may change his plea. The Court previously
6 excluded time until January 15, 2013. Because no time has been used under the Speedy Trial
7 Act, the parties do not believe an additional exclusion of time is necessary. The parties further
8 agree that it is appropriate for the Court to refer this matter to the magistrate court for this
9 hearing.

10
11 DATED: January 2, 2013

/S/

MAUREEN ONYEAGBAKO
Assistant United States Attorney

12
13 DATED: January 2, 2013

/S/

ANGELA M. HANSEN
Assistant Federal Public Defender

ORDER

Based on the reasons provided in the stipulation of the parties above, the Court hereby
FINDS:

1. Given that the parties have reached a Rule 11(c)(1)(C) plea agreement;
2. Given the parties' agreement to have this case referred to the magistrate court for defendant's change of plea; and
3. Given that no time has been used under the Speedy Trial Act and the parties' agreement that an additional exclusion of time is unnecessary;

Based on these findings, IT IS HEREBY ORDERED that the change of plea and sentencing hearing on January 15, 2013, scheduled at 10:00 a.m., before the Honorable Saundra Brown Armstrong, is vacated and continued to January 16, 2013, at 9:30 a.m., for a change of plea hearing before the Honorable Kandis A. Westmore.

January 7, 2013


SAUNDRA BROWN ARMSTRONG
United States District Judge